

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

Filed 10-7-14
Clerk, U. S. District Court
Western District of Texas
By KRL Deputy

United States of America

§

vs.

§

NO: SA:14-CR-00790(1)-OLG

§

(1) Mark Anthony Grimes

§

§

FORM NOTICE TO:

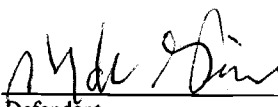
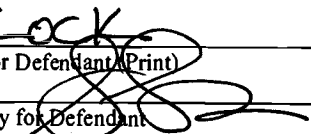
- (A) **WAIVE PERSONAL APPEARANCE AT ARRAIGNMENT AND ENTER PLEA OF NOT GUILTY, OR ALTERNATIVELY PROVIDE STATEMENT REGARDING CONSENT TO ARRAIGNMENT BY VIDEO TELECONFERENCE;**
- (B) **WAIVE MINIMUM TIME TO TRIAL; AND**
- (C) **CONSENT TO DISPOSITION OF MISDEMEANOR OFFENSE BY A UNITED STATES MAGISTRATE JUDGE**

**WAIVER OF PERSONAL APPEARANCE AT ARRAIGNMENT AND ENTRY
OF PLEA OF NOT GUILTY**

NOW COMES Defendant in the above-referenced case who, along with his/her undersigned attorney, hereby acknowledges the following:

- 1) Defendant has received a copy of the charging document in this case.
- 2) Defendant has read the charging document or had it read to him/her.
- 3) Defendant understands he/she has the right to appear personally with his/her attorney before a Judge for Arraignment in open Court on this accusation. Defendant further understands that, absent the present waiver, he/she will be so arraigned in open Court.

Defendant, having conferred with his/her attorney in this regard, hereby waives personal appearance with his/her attorney at the arraignment of this case and the reading of the charging document and, by this instrument, tenders his/her plea of "not guilty". The defendant understands that entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes. Defendant request the Court accept his/her waiver of appearance and enter a plea of "not guilty."

10/7/14 _____ Date	 _____ Defendant
10/7/14 _____ Date	SAM LOCK _____ Name of Attorney for Defendant (Print)
	 _____ Signature of Attorney for Defendant

THIS WAIVER FORM MUST BE FILED IN THE CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON THE DAY BEFORE THE SCHEDULED DATE OF ARRAIGNMENT. IF A WAIVER FORM IS NOT SUBMITTED BY THAT TIME, THE DEFENDANT AND DEFENDANT'S ATTORNEY MUST APPEAR FOR THE ARRAIGNMENT AS SCHEDULED.

**STATEMENT REGARDING CONSENT TO ARRAIGNMENT BY
VIDEO TELECONFERENCE**

The U.S. Magistrate Judge may conduct arraignment by video teleconference if the defendant consents. *See* FED. R. CRIM. P. 10(c).

PLEASE INDICATE YOUR CONSENT OR NON-CONSENT TO AN ARRAIGNMENT BY VIDEO TELECONFERENCE BELOW:

_____ **I CONSENT TO ARRAIGNMENT BY VIDEO TELECONFERENCE**

_____ **I DO NOT CONSENT TO ARRAIGNMENT BY VIDEO TELECONFERENCE**

_____ Date	_____ Defendant
	_____ Name of Attorney for Defendant (Print)
_____ Date	_____ Signature of Attorney for Defendant

NO RESPONSE OR OMISSION OF THIS PAGE WILL BE INTERPRETED AS AN INDICATION THAT THE DEFENDANT INTENDS TO CONSENT TO THE MAGISTRATE JUDGE CONDUCTING THE ARRAIGNMENT BY VIDEO TELECONFERENCE.

WAIVER OF MINIMUM TIME TO TRIAL

Defendant understands that he/she has a right to a minimum period of time to trial so that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se. Defendant further understands that, absent the present waiver, he/she will not be brought to trial during this thirty (30)-day period.

Defendant, having conferred with his/her attorney in this regard, hereby **WAIVES** the requirement that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counselor expressly waives counsel and elects to proceed pro se.

Date

Defendant

Name of Attorney for Defendant (Print)

Date

Signature of Attorney for Defendant

**NOTICE OF RIGHT TO CONSENT
TO DISPOSITION OF A MISDEMEANOR**

The U.S. Magistrate Judge may conduct proceedings in any and all Class A misdemeanor cases, including a jury or non-jury trial, if the defendant voluntarily consents thereto, and for Class B and C misdemeanors and infractions regardless of consent.

PLEASE INDICATE ONE OF THE FOLLOWING WITH A CHECK MARK:

☐ **I CONSENT TO MAGISTRATE JUDGE JURISDICTION.**

☐ **I DO NOT CONSENT TO MAGISTRATE JUDGE JURISDICTION.**

NO RESPONSE OR OMISSION OF THIS PAGE WILL BE INTERPRETED AS NOT CONSENTING TO MAGISTRATE JUDGE JURISDICTION AND CASE WILL BE ASSIGNED TO A U.S. DISTRICT JUDGE.

Date

Defendant

Name of Attorney for Defendant (Print)

Date

Signature of Attorney for Defendant